

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 20TH MARCH 2007 / 29TH PHALGUNA 1928

Bail Appl..No. 1650 of 2007()

CRIME NO. 40/2007 OF KODUMAN POLICE STATION

PETITIONERS-ACCUSED NOS.1, 3 & 4

1. MOHANAN, AGED 32, S/O.NARAYANAN,
VALLIAGATHU VADAKETHIL HOUSE,
AICKADU, KODUMAN P.O.
2. BHASKARAN, S/O.KALIYAN,
VALLIAGATHU VEEDU, AICKADU COLANY,
KODUMON P.O.
3. BABU.S., AGED 25, S/O.SOMAN,
VALLIAGATHU VEEDU, AICKADU COLANY,
KODUMON P.O.

BY ADV. SRI.M.T.SURESHKUMAR

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 20/03/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 1650 of 2007

DATED: 20-03-2007

ORDER

Petitioners who are accused Nos. 1, 3 and 4 in Crime No. 40/2007 of Koduman Police Station for offences punishable under Sections 324 and 326 read with Section 34 I.P.C. seek anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The occurrence took place at 10.30 p.m. on 15-2-2007 when the de facto complainant was alleged to have been attacked with iron rod causing injuries to his right hand.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer and then to have his application for regular bail ordered by the Magistrate concerned. Accordingly, the petitioner shall surrender before the Investigating Officer on any day between 26-3-2007 and 28-3-2007 for the purpose of custodial interrogation and recovery of incriminating materials, if any. The petitioners shall thereafter be produced before the Magistrate concerned who shall consider and dispose of the application filed by the petitioners, if any, for regular bail, preferably, on the same day on which it is filed.

This petition is disposed of as above.

Sd/-V.RAMKUMAR, JUDGE

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